UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK

PHILLIP NELSON BURNS, MIRJANA PAVKOVICH, Administrator of the Estate of Rade Pavkovich, Deceased, and WARREN ELMER HALPAP,

Plaintiffs,

Case No. 1:07-CV-3496 (WHP)

-against-

GRUPO MEXICO S.A. de C.V., a Mexican Corporation,

Defendant.

AFFIDAVIT OF SERVICE

STATE OF TEXAS)

DALLAS COUNTY)

Thomas E. O'Brien, being duly sworn, deposes and says:

- 1. I am not a party to this action, am over 18 years of age, am capable of making this Affidavit, and am employed by the law firm of Baker Botts L.L.P. with a place of business located at 2001 Ross Avenue, Dallas, Texas 75201.
 - 2. On May 2, 2007, I caused to be served copies of the following documents:
- (i) ASARCO LLC's Notice of Removal; (ii) Rule 7.1 Disclosure Statement; and (iii) ASARCO LLC's Notice of Removal to Federal Court (together with accompanying exhibits) on the persons set forth on the attached Service List.

I caused such service to be made by enclosing true and correct copies of the 3. aforementioned documents in properly addressed wrappers and caused them to be sent by hand delivery.

Sworn to before me this 3rd day of May, 2007

Notary Public State of Texas
Commission Expires 6/16/08

MELODY F. PERMENTER **NOTARY PUBLIC**

SERVICE LIST

Alan B. Rich, Esq. BARON & BUDD The Centrum, Suite 1100 3102 Oak Lawn Avenue Dallas, Texas 75219

CERTIFICATE OF SERVICE

I certify that on May 3, 2007, the foregoing document was served via overnight delivery

service on the following counsel:

WEITZ & LUXENBERG, P.C. Gary Klein, Esq. 120 Wall Street, 15th Floor New York, New York 10038 (212) 558-5900 (212) 363-6848 (facsimile)

-and-

BARON & BUDD

Alan B. Rich, Esq. The Centrum, Suite 1100 3102 Oak Lawn Avenue Dallas, Texas 75219 (214) 521-3605 (214) 520-1181

ATTORNEYS FOR PLAINTIFFS PHILLIP NELSON BURNS, MIRJANA PAVKOVICH, and WARREN ELMER HALPAP

MILBANK, TWEED, HADLEY & McCLOY LLP David R. Gelfand, Esq. 1 Chase Manhattan Plaza New York, New York 10005 (212) 530-5000 (212) 530-5219 (facsimile) dgelfand@milbank.com

ATTORNEYS FOR DEFENDANTS GRUPO MEXICO S.A. de C.V. and **AMERICAS MINING CORPORATION**

> <u>/s/ G. Irvin Terrell, Jr.</u> G. Irvin Terrell, Jr. (GT-3459)